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HIGH COURT OF CHHATTISGARH: BILASPUR

Writ Petition (S) No. 4058 of 2007

PETITIONER		Sannu Ram, S/o. Shri Lohra Ram, aged about 61 years, R/o. Keradih, Tehsil Jashpur Nagar, District Raigarh (CG).
	Versus	
RESPONDENTS	1)	State of Chhattisgarh, through Secretary, Public Works Department, D.K.S. Bhawan, Mantralaya, Raipur (CG).
	2)	Sub Divisional Officer, Public Works Department, Kunkuri Division, District Jashpur (CG).

(Writ Petition under Article 226 of the Constitution of India)

SB: Hon'ble Mr. Justice Satish K. Agnihotri

Present: Shri Sunil Otwani, counsel for the petitioner.
Shri A.S. Kachhawaha, Govt. Advocate for the State.

ORDER
(Passed on 13th July, 2007)

By this petition, learned counsel appearing for the petitioner submit6s that the petitioner was employed as Gangman in the Department of Public Works and the petitioner, who has worked for more than 30 years as Gangman seeks a relief that the petitioner being permanent Gangman be retired at the age of 62 years in accordance with the Chhattisgarh Shaskiya Sevak (Adhivarshiki Ayu) Adhiniyam, 1967 (for short, "the Act, 1967") read with Fundamental Rule (for short, 'F.R') 56.

2) According to learned counsel for the petitioner, the petitioner attained the status of permanent employee, as defined under Rule 2 (c) of the Chhattisgarh (Workcharged and Contingency Paid Employees) Pension Rules 1979 (for short, "the Rules, 1979), framed under Article 309 of the Constitution of India. After having attained the status of the permanent employee the petitioner would

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retire on attaining the age of 62 years on superannuation under the provisions of this Act, 1967.

3) Learned counsel appearing for the petitioner would submit that the case of the petitioner is squarely covered by the decision of this Court passed on 4th January, 2006 in W.P.No.108/2005 (Govind Vs. State of Chhattisgarh & others) and other connected matters.

4) Learned counsel appearing for the respondents/State does not dispute the submissions made by learned counsel for the petitioner.

5) Accordingly, the petitioner, who is permanent Gangman, is entitled to retire on attaining the age of 62 years in accordance with the Act, 1967. The petition is accordingly allowed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

raju